

ENTERED

March 31, 2022

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISIONGEORGE FLORES, *et al.*,

Plaintiffs,

VS.

ACCC GENERAL AGENCY, INC., *et al.*,

Defendants.

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CIVIL ACTION NO. 4:21-CV-00027

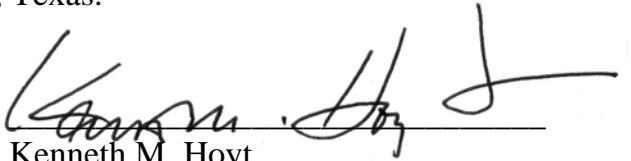
ORDER DISMISSING CASE

Before the Court is the plaintiffs' motion to dismiss this suit without prejudice [DE 24], and the defendant's, Embark General Insurance Agency, LLC ["Embark"] response to the plaintiffs' motion [DE 25]. The defendant, ACC Insurance Company ["ACCC"] has not filed opposition to the motion. The Court is of the opinion that the plaintiffs' motion to dismiss without prejudice should be granted.

The defendant, ACCC, does not oppose the plaintiffs' motion. However, Embark does, asserting that the plaintiff is attempting to "circumvent an imminent adverse decision-referring to its motion to dismiss [DE 22]. Embark also asserts that the plaintiffs' suit is frivolous. The Court determines that neither of these stated bases for denying the plaintiff's motion will cause Embark to suffer legal prejudice. Any defenses or motions that are available to Embark in this suit are available in a subsequent suit. Judicial economy favors dismissal as is apparent by Embark's subsequent motion(s) that will result in an expenditure of valuable time that the Court may use otherwise.

It is ORDERED that the plaintiffs' motion to dismiss is GRANTED.

SIGNED on March 31, 2022, at Houston, Texas.



Kenneth M. Hoyt
United States District Judge